

Minutes of the Maine Real Estate Commission

SEPTEMBER 22, 2005

MEMBERS PRESENT

Earl Black
David Kitchen
Sharon Millett
Jeffrey Mitchell
Winfred Stevens

STAFF PRESENT

Carol Leighton, Director
Karen L. Bivins, Deputy Director
Judy Brown, Examiner
Robert Perkins, Assistant Attorney General
Jack Richards, Assistant Attorney General
Susan Greenlaw, Secretary

MEMBERS ABSENT

Location: Central Conference Room

Start: 9:00 a.m.

Adjourn: 2:15 p.m.

Minutes – August 25, 2005

A motion was made by Earl Black and seconded by Jeffrey Mitchell to approve the minutes of the August 25, 2005 meeting as written. Black, Kitchen, Millett, and Mitchell voted in the affirmative; none opposed; Stevens abstained. Motion carried.

Agenda Modifications

A motion was made by Jeffrey Mitchell and seconded by Winfred Stevens to add the following to the agenda. Unanimous.

- Proposed Dismissal - #2004-038

Commission Hearings

The Chair opened the hearing in the matter of Director v. David A. Earle. The Director was present and represented by Assistant Attorney General Robert Perkins. Earle was present and represented by attorney Stephen Whiting. Assistant Attorney General Jack Richards advised the Commission. Public deliberations will be conducted at the October 20 meeting.

Cash C. Wiseman v. Director – Reopening of Sanction Portion of Hearing: Wiseman was present and represented by attorney Goodman. The Director was present and represented by Assistant Attorney General Robert Perkins. Assistant Attorney General Jack Richards advised the Commission. A motion was made by Earl Black and seconded by Jeffrey Mitchell to allow Wiseman to amend his request to reopen the consideration of violation findings and to allow additional evidence. Unanimous.

The Chair opened the hearing in the matter of Director v. Brian R. Seekins. The Director was present and represented by Assistant Attorney General Robert Perkins. Seekins was not present nor represented by an attorney. Assistant Attorney General Jack Richards advised the Commission. Public deliberations were conducted at the close of the hearing. A motion was made by David Kitchen and seconded by Winfred Stevens to find Seekins in violation of 32 M.R.S.A. §13067(1)(M). Unanimous. A motion was made by David Kitchen and seconded by Winfred Stevens to order the immediate revocation of Seekins' license. Unanimous.

The hearing in the matter of Director v. Peter P. Pushor was continued.

Consent Agreements

A motion was made by Jeffrey Mitchell and seconded by Winfred Stevens to accept the proposed Consent Agreements in case numbers 2005-060 and 2005-115. Unanimous.

Dismissed Complaints

A motion was made by Winfred Stevens and seconded by Jeffrey Mitchell to accept the proposed Dismissals in case numbers 2004-038, 2005-078, and 2005-104. Unanimous

Request for Reconsideration of Dismissed Complaint #2003-027

A motion was made by Jeffrey Mitchell and seconded by Earl Black to deny the request. Black, Kitchen, Millett, and Mitchell voted in the affirmative; Stevens opposed. Motion carried.

DRAFT – Proposed Rule Changes – Chapters 320 & 330 - Discussion continued

The October 17 meeting will be devoted to continuing the discussion.

Maine Association of Realtors Correspondence

Request for Review of Proposed Language – Release of Earnest Money: Tabled to next meeting.

Electronic Displays and Transmittals of Property Listings: Tabled to next meeting.

Director's Report

Lead disclosure requirement became effective September 17, 2005.

Education Committee Update: Several meetings have been held and progress is being made.

Next Meeting Scheduled for October 17, 2005

The meeting was adjourned at 2:15 p.m.

This report respectfully submitted,

Sharon Millett
Chairperson

Carol J. Leighton
Director